



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Lisa Feldt
Director

October 6, 2017

NOTICE OF AD 2017-3 ADMINISTRATIVE PUBLIC HEARING

TO: Keith Levchenko, Senior Legislative Analyst
County Council

Rich Weaver, Acting Manager, Area Three Planning Team
Maryland - National Capital Park and Planning Commission

Ray Chicca, Manager, Development Services Division
Washington Suburban Sanitary Commission

Heidi Benham, Manager, Well and Septic Section
Department of Permitting Services

Category Change Request Property Owners and Applicants

FROM: George Dizelos, Planner III, Water and Wastewater Policy Group
Department of Environmental Protection

SUBJECT: **Administrative Public Hearing AD 2017-3 for Water and Sewer Plan Amendments**

DATE & TIME: **Wednesday, November 8, 2017, at 2:30 p.m.**

LOCATION: **DEP Lobby Conference Room**, 255 Rockville Pike, Suite 120, Rockville

Please be advised that the Montgomery County Department of Environmental Protection (DEP) will hold an administrative public hearing as specified above on the following requested category map amendments to the County's Comprehensive Water Supply and Sewerage Systems Plan:

17-CLO-02A.....Porter Street Development Group
17-CKB-01A.....Haba Family Living Trust

To assist with your review of these proposed actions, DEP has created and posted a PDF to the "Service Area Category Changes" webpage at www.montgomerycountymd.gov/water/supply/category-changes.html. Select the blue "Application Hearing Schedule" tab to expand the section, then scroll down to the "Current Administrative Review Packet" heading. The hearing notice PDF includes the following information for the proposed amendments:

- Information summaries
- Staff reports and recommendations
- Mapping
- Supporting documents, as appropriate

We ask that Council staff provide the posted materials to the Councilmembers for their review. If Council staff members and aides would like to meet with DEP regarding the proposed amendments, call me to review the case before the public hearing. We request that the Council submit comments no later than the hearing record

Office of the Director • Water and Wastewater Policy Group

Rockville Center, Suite 120 • 255 Rockville Pike • Rockville MD 20850-4166 • 240-777-7755 • FAX: 240-777-7715

closing date (see below). Otherwise, we will assume that the Councilmembers agree with administrative approval as recommended for the requests.

We understand that the Montgomery County Planning Board will include this administrative packet for consideration on its agenda.

Attendance at this hearing for agencies, applicants, and others is optional. These requests will be considered at the time specified on page 1. If you wish to comment on a referenced amendment or on the staff recommendations, you may testify at the public hearing, or you may submit written testimony to: Lisa Feldt, Director, DEP; 255 Rockville Pike, Suite 120; Rockville, MD 20850-4166; or to george.dizelos@montgomerycountymd.gov. **DEP will close the record on November 15, 2017.**

Please do not hesitate to contact me at george.dizelos@montgomerycountymd.gov or at 240-777-7755 if you have any questions concerning these category change requests or the schedule provided.

GJD: gjd/R:\Programs\Water_and_Sewer\actions-AD\2017\AD-2017-3\ad-hearing-notice-draft--2017-3--0928.docx

cc: Roger Berliner, President, County Council
Casey Anderson, Chairperson, Montgomery County Planning Board
Katherine Nelson, Area 3 Planning Team, M-NCPPC
Pamela Dunn, Functional Planning and Policy Division, M-NCPPC
Geoffrey Mason, Parks Planning and Stewardship Division, M-NCPPC
Beth Kilbourne & Rufus Leeth, Development Services Division, WSSC
Luis Tapia, Permit Services Section, WSSC
D Lee Currey, Director, Water and Science Admin., Maryland Dept. of the Environment
Robert McCord, Acting Secretary, Maryland Department of Planning

Category Change Applicants & Interested Parties

17-CLO-02APorter Street Development Group
.....Jagdish Mandavia, Vika Engineering
17-CKB-01AHaba Family Living Trust
.....John Sekerak, Jr., Stantec

Civic Organizations and Other Public Interest Groups

Audubon Naturalist Society
Clarksburg Civic Association
Clarksburg Initiatives Association
Greater Ashton Civic Association
Sandy Spring Civic Association
Sandy Spring Ashton Rural Preservation

WSSCR 17-CLO-02A: Porter Street Development Group

DEP Staff Recommendation: Approve S-3 Administrative policy V.F.1.a: Consistent with Existing Plans.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none">• 100 block of Olney Sandy Spring Rd., Ashton• Parcel P447, Add Charley Forest (acct. no. 00720558)• Map tile: WSSC – 224NW01; MD –JT42• West side of Porter Rd. south of Olney Sandy Spring Rd. (MD 108).• R-90 Zone; 1.2 acres• Cloverly Planning Area Sandy Spring Ashton Master Plan (1998)• Northwest Branch Watershed (MDE Use IV)• <u>Existing use</u>: wooded• <u>Proposed use</u>: Build six new townhouses	<table><tr><th colspan="2"><u>Existing – Requested – Service Area Categories</u></th></tr><tr><td>W-1</td><td>W-1 (No Change)</td></tr><tr><td>S-6</td><td>S-1</td></tr></table> <p><u>Applicant's Explanation</u></p> <p>DEP Summary: Applicant is applying for a category change for the purpose of developing the property.</p> <p><i>DEP note: Zoning Application Justification is on file with DEP. Existing zoning is adequate for sewer service.</i></p>	<u>Existing – Requested – Service Area Categories</u>		W-1	W-1 (No Change)	S-6	S-1
<u>Existing – Requested – Service Area Categories</u>							
W-1	W-1 (No Change)						
S-6	S-1						

DEP Staff Report: The applicant has requested approval of sewer category S-1 to allow for public sewer service for the creation of six new townhouses. The lot is currently wooded and unimproved. This property is 1.2 acres in size, zoned R-90, and is located inside the County's planned public sewer service envelope. A Rezoning Application has been filed with the planning board to re-zone this parcel, however the existing zoning is adequate for sewer service. An existing 8-inch-diameter sewer main runs along Hidden Garden Ln to the south west of the property.

M-NCPPC staff concur that the property is within the sewer service envelope of the 1998 Sandy Spring/Ashton Master Plan. DPS staff support approval of public sewer service. WSSC confirms that connecting the property to sewer service can be supported. A sewer main extension will be required to serve the property, therefore DEP staff recommendation is for the approval of category S-3, Consistent with Existing Plans.

Agency Review Comments

DPS: DPS requests that extension be designed to help serve adjacent properties now outside the service area.

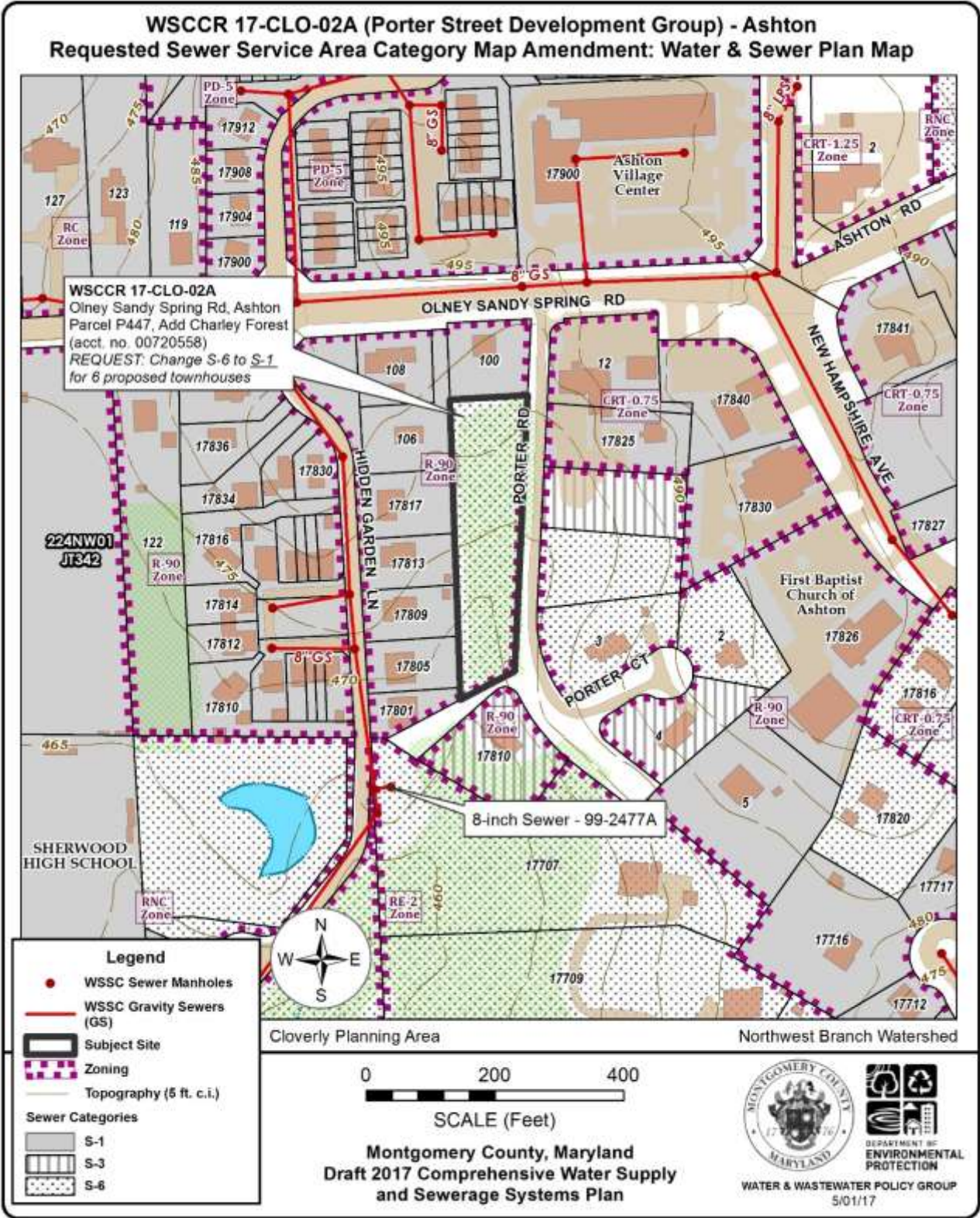
M-NCPPC – Planning Dept.: This R90-zoned, 1.2-acre lot is part of a larger re-zoning case. It is located on the south side of Olney-Sandy Spring Road (MD 108), west of the intersection with New Hampshire Avenue (MD 650) and within the Sandy Spring/Ashton Rural Village Overlay Zone. The 1998 Sandy Spring/Ashton Master Plan shows this property within the proposed water and sewer service envelope.

M-NCPPC – Parks Planning: No park impacts.

WSSC - Water: *(not requested)*

WSSC - Sewer: Basin: Northwest Branch. A 700-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch sewer (contract no. 99-2477A) and would abut approximately 5 properties in addition to the applicant's. Easements would be required. Construction of this extension may involve the removal of trees. Average wastewater flow from the proposed development: 1,110 GPD. Program-sized sewer mains are not required to serve the property. Interceptor capacity is adequate. Treatment capacity is adequate.

DEP Note: WSSC comments are based on future zoning and proposed development.



WSSCR 17-CKB-01A: Haba Family Living Trust

DEP Staff Recommendation: Approve S-1 and W-1. Administrative policy V.F.1.a: Consistent with Existing Plans.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> • 21000 block of Ruby Dr., Boyds • Lot 3, Block A, Musgroves Add To Neelsville (acct. no. 00026857) • Map tile: WSSC – 230NW12; MD –EV52 • West side of Ruby Rd north west of the intersection of W. Old Baltimore Rd • R-200 Zone; 3 acres • Clarksburg Planning Area Clarksburg Master Plan (1994) • Little Seneca Creek Watershed (MDE Use IV) • <u>Existing use</u>: Unimproved • <u>Proposed use</u>: "One, single-family detached house." 	<p>Existing – Requested – Service Area Categories</p> <table> <tr> <td>W-5</td><td>W-1</td></tr> <tr> <td>S-5</td><td>S-1</td></tr> </table> <p><u>Applicant's Explanation</u></p> <p>DEP Summary: Owner requests category change to build a single-family home.</p> <p><i>DEP Note: Property was subject to a prior category change request which was granted conditional approval. The previous proposed intent was not pursued and therefore a new request has been submitted.</i></p>	W-5	W-1	S-5	S-1
W-5	W-1				
S-5	S-1				

DEP Staff Report: The applicant has requested approval of sewer category S-1 and water category W-1 to allow for public sewer and water service for the development of one single family home. The property is three acres in size, zoned R-200, and is located inside the planned sewer and water service envelopes. To qualify for the Consistent with Existing Plans Policy, the property must be within the County's water and sewer service envelopes. M-NCPPC Parks have concluded that there are no park impacts. WSSC has confirmed that sewer mains and water mains abut the property to the north west. M-NCPPC staff concur that the provision of water and sewer service is consistent with the 1994 Clarksburg Master Plan.

DEP staff recommendation is for the approval of water and sewer categories W-1 and S-1, consistent with existing plans.

Agency Review Comments

DPS: Percolation tests were conducted on this property during the 1960's or 70's. These tests were successful, but would have to be re-tested to meet current standards. DPS supports the conversion of this property to public sewer; and we agree with the position of DEP.

M-NCPPC – Planning Dept.: This R-200-Zoned, 3.0-acre lot is within Water and Sewer Staging Area A of the 1994 Clarksburg Master Plan. Although not designated within one of the four Clarksburg Staging areas, the plan clearly anticipated the provision of sewer and water service to this property.

M-NCPPC – Parks Planning: No Park Impacts.

WSSC - Water: Water pressure zone: Montgomery County High Zone (760 B). An 8-inch water line (contract no. 1995-1313C) abuts the property in the northwest corner of the property. Local service is adequate. Program-sized water main extensions (16 inches in diameter or greater) are not required to serve the property.

WSSC - Sewer: Basin: Seneca Creek (15). An 8-inch sewer line (contract no. 1995-1313C) abuts the property in the northwest corner of the property. Average wastewater flow from the proposed development: 303 GPD. Program-sized sewer mains are not required to serve the property. Interceptor capacity is adequate. Treatment capacity is adequate.

